

## Weekly Summary of Cases National Labor Relations Board

Week of July 19-23, 2010, W-3270

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## **Summarized Board Decisions**

*Chrysler, LLC* (7-CA-50862, 50863; 355 NLRB No. 54) Auburn Hills, MI, July 16, 2010. [HTML] [PDF]

The Board found that the employer, a business engaged in the manufacture and distribution of automobiles, violated the Act by failing to provide the union with mandatory and relevant information it requested related to its bargaining unit on three separate occasions. The Board ordered the employer to provide the union with the requested information. The employer argued that all three of the allegations of a violation of the Act should be deferred to the parties' grievance and arbitration procedure, and alternatively that the information requested by the union was not relevant to a legitimate union interest. The Board, applying long-standing Board precedent, rejected the employer's deferral argument, and found that the information requested by the union is relevant. The ALJ also found that the employer violated the Act. Charges filed by Local 412, International Union, United Automobile, Aerospace and Agricultural Implement Workers of American (UAW). Administrative Law Judge Earl E. Shamwell, Jr. issued his decision September 9, 2008. Chairman Liebman, Member Schaumber, and Member Becker participated.

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*United Kiser Services, LLC and Construction and General Laborers Union, Local 1329* (30-CA-18129, 30-CB-5352; 355 NLRB No. 55) Norway, MI, July 22, 2010. [HTML] [PDF]

The Board dismissed the allegations that the Employer and the Laborers violated the Act by entering into a collective-bargaining agreement containing a union-security clause at a time when the Carpenters were the recognized representative of the unit. The Board found that the Carpenters, through their business representative, had constructive notice of the alleged violations more than 6 months before they filed the charge and, therefore, the allegations were untimely. The Board also dismissed the allegation that the Employer violated the Act by refusing to negotiate with the Carpenters for approximately 2 months, finding that the Employer's delay in bargaining for the purpose of consulting with legal counsel was reasonable under the circumstances of the case. Charges filed by the Northern Wisconsin Regional Council of Carpenters. Administrative Law Judge Bruce D. Rosenstein issued his decision August 28, 2009. Chairman Liebman and Members Schaumber and Becker participated.

## **Unpublished Board Decisions in Representation Cases**

*Champion Window Manufacturing and Supply Co., LLC* (9-RC-18299) Cincinnati, OH, July 21, 2010. Order denying Employer's request for review of Regional Director's decision and direction of election. Petitioner – Iron Workers Shopmen's Local 468. Chairman Liebman and Members Becker and Pearce participated.

Carson Albertoni Hotel Company, Incorporated d/b/a Hampton Inn (21-RC-21203) Carson, CA, July 21, 2010. Order denying Employer's request for review of Regional Director's decision and direction of election. Petitioner – Chauffeurs, Sales Drivers and Helpers Union, Local 572, International Brotherhood of Teamsters. Chairman Liebman and Members Becker and Pearce participated.

*Providence Health System-California d/b/a Providence Health Services* (31-RC-8772) Tarzana, CA, July 21, 2010. Order denying Intervenor's request for review of Regional Director's decision and direction of election. Petitioner – National Union of Healthcare Workers. Chairman Liebman and Members Schaumber and Pearce participated.

**AT&T Mobility** (19-RD-3854) Redmond, WA, July 23, 2010. By direction of the Board: Order denying Petitioner's request for special permission to appeal order to impound ballots issued. Petitioner – an Individual.

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## **Decisions of Administrative Law Judges**

*Vision of Elk River, Inc.* (18-CA-19200; JD-37-10) Elk River, MN. Charge filed by an Individual. Administrative Law Judge Richard A. Scully issued his decision July 7, 2010. [HTML] [PDF]

Atlantic Veal & Lamb, Inc. (29-CA-24484, et al.; JD(NY)-26-10) Brooklyn, NY. Charges filed by Knitgoods Workers' Union, Local 155, Union of Needletrades, Industrial & Textile Employees, AFL-CIO. Administrative Law Judge Raymond P. Green issued his decision July 16, 2010. [HTML] [PDF]

*Newcor Bay City Division of Newcor, Inc.* (7-CA-47590; JD-38-10) Bay City, MI. Charge filed by International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO and its Local 496. Administrative Law Judge Earl E. Shamwell Jr. issued his supplemental decision July 21, 2010. [HTML] [PDF]

*Alliance Mechanical, Inc.* (27-CA-21338; JD(SF)-30-10) Eagle, CO. Charge filed by Road Sprinkler Fitters Local Union No. 669. Administrative Law Judge James M. Kennedy issued his decision July 23, 2010. [HTML] [PDF]

Local 971/550 National Security Officers Benevolent Association (The Brooklyn Hospital Center) (29-CB-14283, 14284; JD(NY)-29-10) Brooklyn, NY. Charges filed by Individuals. Administrative Law Judge Eleanor MacDonald issued her decision July 23, 2010. [HTML] [PDF]